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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/383,038	08/25/1999	CHARLES B. SCHNAREL	3382-51792	6021

7590 03/28/2002

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EXAMINER

SAX, STEVEN PAUL

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 03/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/383038

Applicant(s)

Schmale et al

Examiner

Sax

Group Art Unit

2174

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 - MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-21 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-21 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4,6, 8-10
- ☐ Interview Summary, PTO-413
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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### DETAILED ACTION

1. This application has been examined.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-8 and 10-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bayless et al (6192118 B1).

4. Regarding claims 1 and 7, note in Bayless et al: Figure 6, Figure 14, column 2 lines 3-8, 15-20, and 53-63. Note the visual user interface for a telephony device with a screen display. This has a display screen with an application program selection area (Figure 6 and column 12 lines 58-65) including controls, a call slip user interface for telephone line state information (column 2 lines 37-45 for example), a user input device to select display elements (column 9 lines 7-10), and a customizable area (Figure 18, Figures 30-31).

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5. Regarding claim 2, the customizable area includes a data/time pane (Figure 18 and Figure 34), the branding pane (Figures 30-31 show pane windows selected off the customizable area which customize the individual directory and show brand graphics), a message pane for displaying email, answering machine or FAX messages (Figure 34, column 24 lines 40-64), and a task pane (Figure 18) for enabling a user to select an online directory (column 19 lines 27-39, column 17 lines 30-36) and an email service (column 12 lines 54-65), or a speed dial or notetaking service (Figure 18) .

6. Regarding claim 3, as shown above in Figures 18 and 34, the customizable areas have interface panes that display user elements of a corresponding application program.

7. Regarding claim 4, see Figure 34 and column 24 lines 40-64. The message usage pane shows interface elements depicting the type of message.

8. Regarding claims 5-6, the icons in the message pane reflect the status such as that the message was received. See column 2 lines 58-62, column 25 lines 40-50. These icons are user interface controls and initiate a message viewer. See column 25 lines 12-15.

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9. Regarding claim 8, this shows the same features as above and is rejected for the same reasons.

10. Regarding claims 10-11, the input device includes a cursor control device and keyboard (column 9 lines 7-10).

11. Regarding claims 12-21, these show the same features as above and are rejected for the same reasons. Note that the programming shell structure is mentioned as well as being implicit. See column 9 lines 37-41 and column 11 lines 30-32 and 46-54.

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bayless et al (6192118 B1).

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14. Regarding claim 9, Bayless et al do not go into the details of a touch screen, but do mention a variety of input means for convenient user selection and flexible user interface interaction (column 9 lines 7-10, column 1 lines 55-60). The touch screen is a common input means in the art for convenient user selection and flexible user interface interaction. It would have been obvious to a person with ordinary skill in the art to have the touch screen, because it would provide convenient user selection and flexible user interface interaction.

15. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	After Final Communication
(703) 746-7239	Official Communication
(703) 746-7420	For Status Inquiries, draft communication

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to be 'Sax', written in a cursive style.

**STEVEN SAX  
PRIMARY EXAMINER**